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5 **UNITED STATES DISTRICT COURT**
6 **NORTHERN DISTRICT OF CALIFORNIA**
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8 RALPH HAYES,

9 Plaintiff,

10 v.
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12 WELLS FARGO BANK, N.A.,

13 Defendant.
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Case No.: CV 13-00420 KAW

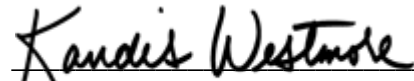
ORDER DISMISSING CASE FOR
FAILURE TO PROSECUTE

15 Plaintiff Ralph Hayes filed this action against Defendant Wells Fargo Bank. On August
16 12, 2013, the Court dismissed Plaintiff's First Amended Complaint with leave to amend only the
17 first, third, and twelfth causes of action to the extent that Plaintiff can truthfully allege non-
18 preempted allegations. Plaintiff was given 30 days to file a second amended complaint, but did
19 not do so, presumably because he could not allege non-preempted allegations.

20 As a result, the Court dismisses Plaintiff's complaint with prejudice for failure to
21 prosecute. The Clerk of the Court shall close this case.

22 IT IS SO ORDERED.

23 DATE: September 30, 2013

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KANDIS A. WESTMORE
United States Magistrate Judge
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